

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JACK TRUESDALE,	:	
Plaintiff,	:	Case No. 3:08CV336
vs.	:	District Judge Thomas M. Rose
		Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
Defendant.	:	

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**DECISION AND ENTRY**

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This case is before the Court upon the parties’ joint Stipulation To Award Attorney Fees Under The Equal Access to Justice Act [“EAJA”] (Doc. #24), as well as upon Plaintiff’s prior motion (Doc. #20) and supplemental motion (Doc. #22) for an attorney fee award. The parties have stipulated to an award of attorney fees to Plaintiff in the amount of \$3,500.00 under the EAJA, 28 U.S.C. § 2412(d), and Plaintiff has assigned that entire amount to his counsel pursuant to their fee agreement. Accordingly, the parties have agreed that the EAJA award will be paid directly to Plaintiff’s counsel and that payment in the agreed amount will settle all of Plaintiff’s EAJA claims under this suit.

Accordingly, the Court hereby **ORDERS** that:

1. The parties’ joint Stipulation To Award Attorney Fees Under The Equal

Access to Justice Act (Doc. #24) is GRANTED, and Plaintiff's Motion (Doc. #20) and Supplemental Motion (Doc. #22) For Award of Attorney Fees Pursuant To The EAJA therefore are DENIED as moot;

2. The Commissioner shall pay Plaintiff's attorney fees in the total amount of \$3,500.00 to Plaintiff's counsel, Donald K. Scott, as Plaintiff's assignee; and
3. The case remains terminated on the docket of this Court.

August 6, 2009

**\*S/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge